

**MINUTES OF THE
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**

Monday, March 5, 2018 • 10:00 a.m. • 450 State Capitol

Members Present:

Rep. Lee B. Perry, Chair
Rep. Edward H. Redd, Vice Chair
Rep. Cheryl K. Acton
Rep. Sandra Hollins
Rep. Eric K. Hutchings
Rep. Kelly B. Miles
Rep. Paul Ray
Rep. Angela Romero

Rep. Elizabeth Weight
Rep. Mike Winder

Members Absent:

Rep. Rebecca P. Edwards

Staff Present:

Mr. John Feinauer, Policy Analyst
Ms. Katiemarie Harmon, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Perry called the meeting to order at 10:05 a.m.

MOTION: Rep. Winder moved to approve the minutes of the March 2, 2018 meeting. The motion passed with a vote of 7 - 0 - 4 .

Yeas-7

Rep. C. Acton
Rep. S. Hollins
Rep. L. Perry
Rep. P. Ray
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-4

Rep. R. Edwards
Rep. E. Hutchings
Rep. K. Miles
Rep. E. Redd

1 . H.B. 476 Aggravated Sexual Exploitation of a Minor (Ray, P)

Rep. Ray presented the bill with the assistance of Ms. Shelley Coudreaut, Assistant Attorney General, Utah Attorney General's Office.

MOTION: Rep. Ray moved to pass H.B. 476 out favorably. The motion passed with a vote of 8 - 0 - 3 .

Yeas-8

Rep. C. Acton
Rep. S. Hollins
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-3

Rep. R. Edwards
Rep. E. Hutchings
Rep. K. Miles

2 . H.B. 477 Correctional and Peace Officer Amendments (Ray, P)

Rep. Ray presented the bill.

Mr. William Carlson, Deputy District Attorney, Salt Lake County District Attorney's Office, spoke in favor of the bill.

MOTION: Rep. Redd moved to pass H.B. 477 out favorably. The motion passed with a vote of 10 - 0 - 1 .

Yeas-10

Nays-0

Absent-1

Rep. C. Acton

Rep. R. Edwards

Rep. S. Hollins

Rep. E. Hutchings

Rep. K. Miles

Rep. L. Perry

Rep. P. Ray

Rep. E. Redd

Rep. A. Romero

Rep. E. Weight

Rep. M. Winder

3 . 2nd Sub. S.B. 205 Incarceration Reports (Weiler, T.)

Rep. Carol Spackman Moss presented the bill.

Ms. Darci Gotter, Deputy District Attorney, Salt Lake County Attorney's Office, spoke to the bill.

Captain Arnold Butcher, Davis County Sheriff's Office, spoke to the bill.

Mr. Jason Stevenson, American Civil Liberties Union (ACLU) of Utah, spoke in favor of the bill.

Ms. Molly Davis, Libertas Institute, spoke in favor of the bill.

MOTION: Rep. Winder moved to pass 2nd Substitute S.B. 205 out favorably.

SUBSTITUTE Rep. Hutchings moved to amend 2nd Substitute S.B. 205 with Amendment #1. The Substitute

MOTION: motion failed with a vote of 5 - 5 - 1 .

Amendment 1
2nd Sub. S.B. 205

1. Page 2, Line 51 through Page 3, Line 58:

51 (e) a list of the prescription medications that:

52 (i) a county jail knew were prescribed to an inmate within 30 days before the day on

53 which the inmate was booked into custody in the county jail;

54 ~~{(ii) the inmate did not finish taking before the day on which the inmate was admitted to~~
55 ~~the county jail;}~~

56 ~~{(iii)}~~ (ii) the inmate informed the county jail of the inmate's desire or need to continue
57 taking while in custody of the county jail; and

58 ~~{(iv)}~~ (iii) the county jail failed or declined to provide to the inmate while the inmate was in

2. Page 4, Lines: 93 through 102

93 (e) a list of the prescription medications that:

94 (i) the department knew were prescribed to an inmate within 30 days before the day on
95 which the inmate was admitted to the department or correctional facility other than a county
96 jail;

97 ~~{(ii) the inmate did not finish taking before the day on which the inmate was admitted to~~
98 ~~the department or correctional facility;}~~

99 ~~{(iii)}~~ (ii) the inmate informed the county jail of the inmate's desire or need to continue
100 taking while in custody of the department or correctional facility; and

101 ~~{(iv)}~~ (iii) the department or correctional facility failed or declined to provide to the inmate
102 while the inmate was in custody of the department or correctional facility;

Yeas-5

Rep. E. Hutchings
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. M. Winder

Nays-5

Rep. C. Acton
Rep. S. Hollins
Rep. K. Miles
Rep. A. Romero
Rep. E. Weight

Absent-1

Rep. R. Edwards

Rep. Winder's motion to pass 2nd Substitute S.B. 205 out favorably passed with a vote of 7 - 3 - 1 .

Yeas-7

Rep. C. Acton
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-3

Rep. L. Perry
Rep. P. Ray
Rep. E. Redd

Absent-1

Rep. R. Edwards

4 . S.C.R. 12 Concurrent Resolution on Reducing Gang Activity (Mayne, K.)

Sen. Karen Mayne presented the bill.

Mr. Brad Asay, President, American Federation of Teachers (AFT) Utah, spoke in favor of the bill.

MOTION: Rep. Ray moved to pass S.C.R. 12 out favorably. The motion passed with a vote of 10 - 0 - 1 .

Yeas-10

Rep. C. Acton
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-1

Rep. R. Edwards

5 . S.B. 214 Solicitation Amendments (*Weiler, T.*)

Rep. Hollins presented the bill with the assistance of Mr. Carlson, and Captain Ty Farillas, Salt Lake City Police Department.

MOTION: Rep. Romero moved to pass S.B. 214 out favorably. The motion passed with a vote of 10 - 0 - 1 .

Yeas-10

Rep. C. Acton
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-1

Rep. R. Edwards

MOTION: Chair Perry moved to saunter.

6 . S.B. 198 Public School Disciplinary Action Amendments (*Anderegg, J.*)

Sen. Jacob L. Anderegg presented the bill.

Mr. Stevenson spoke in favor of the bill.

Ms. Danielle Croyle, Chiefs of Police Association, spoke in favor of the bill.

MOTION: Rep. Hutchings moved to amend S.B. 198 with Amendment #2. The motion passed with a vote of 10 - 0 - 1 .

Amendment 2
S.B. 198

1. Page 2, Lines 31 through 33:
Senate 2nd Reading Amendments
2-27-2018

31 (1) As used in this section:

32 (a) "Disciplinary action" means an action by a public school meant to formally

33 discipline a student of that public school {~~;~~} _ {~~including~~} **that includes** a suspension or expulsion.

Yeas-10

Rep. C. Acton
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-1

Rep. R. Edwards

MOTION: Rep. Hollins moved to pass S.B. 198, as amended, out favorably. The motion passed with a vote of 10 - 0 - 1 .

Yeas-10

Rep. C. Acton
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles
Rep. L. Perry

Nays-0

Absent-1

Rep. R. Edwards

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Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

MOTION: Rep. Ray moved to adjourn. The motion passed with a vote of 10 - 0 - 1 .

Yeas-10

Rep. C. Acton
Rep. S. Hollins
Rep. E. Hutchings
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Rep. E. Weight
Rep. M. Winder

Nays-0

Absent-1

Rep. R. Edwards

Chair Perry adjourned the meeting at 11:46 a.m.